

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: : Chapter 13  
Corey M. Fogarty, : No. 20-12870-PMM  
Debtor :

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Corey M. Fogarty, :  
Plaintiff :  
v. :  
Members 1<sup>st</sup> Federal Credit Union, :  
Defendant :

**STIPULATION**

THIS STIPULATION (“Stipulation”) is made this \_\_\_\_ day of March, 2021, by and between Alaine V. Grbach, Esquire, attorney for the Debtor, Corey M. Fogarty (“Debtor”) and Shawn M. Long, Esquire, attorney for Members 1<sup>st</sup> Federal Credit Union (the “Lender”), in order to resolve the Motion for Relief from the Automatic Stay of Section 362 of the Bankruptcy Code.

**BACKGROUND**

A. On July 1, 2020, Debtor filed a Voluntary Petition for Relief under Chapter 13 of the United States Bankruptcy Code and was granted relief thereon.

B. On March 12, 2021, Lender filed a Motion for Relief based on Debtor’s Retail Installment Sale Contract (the “Contract”) with Lender, which is secured by Debtor’s 2017 Jeep Grand Cherokee V.I.N. 1C4RJFJG9HC759405 (the “Vehicle”).

C. Debtor has not made any payment since September 15, 2020, and Debtor has failed to make any further post-petition payments.

D. Debtor and the Lender wish to amicably resolve Members 1st's Motion for Relief under the terms and conditions of this Stipulation.

NOW, THEREFORE, the parties hereto intending to legally bind themselves, their heirs, successors and assigns, hereby agree as follows:

1. Members 1st's Motion for Relief shall be granted.
2. Debtor will surrender the Vehicle to the Bank within five (5) days from the date that this Stipulation is approved by the Court.
3. The automatic stay shall be terminated with respect to the Vehicle, and the Lender shall be entitled to exercise any and all of its rights under state law with respect to the Vehicle.
4. The signatories hereto agree that this Stipulation may be executed in one or more counterparts, any one of which need not contain the signatures of more than one party or representative thereof, but all such counterparts taken together shall constitute one and the same Stipulation. Facsimile and electronically transmitted signatures shall be deemed to have the same effect as original signatures. The undersigned are authorized to execute this Stipulation on behalf of their respective clients.

IN WITNESS WHEREOF the parties hereto have entered into this Stipulation the day and year first above written.

BARLEY SNYDER

By: /s/ Shawn M. Long  
Shawn M. Long, Esquire  
Attorneys for Members 1<sup>st</sup> Federal  
Credit Union

/s/ Elaine V. Grbach  
Elaine V. Grbach, Esquire

Scott Waterman, Chapter 13 Trustee

D. Debtor and the Lender wish to amicably resolve Members 1st's Motion for Relief under the terms and conditions of this Stipulation.

NOW, THEREFORE, the parties hereto intending to legally bind themselves, their heirs, successors and assigns, hereby agree as follows:

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BARLEY SNYDER

By: /s/ Shawn M. Long  
Shawn M. Long, Esquire  
Attorneys for Members 1<sup>st</sup> Federal  
Credit Union

Alaine V. Grbach, Esquire

Polando Amos for

Scott Waterman, Chapter 13 Trustee

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**ORDER**

UPON CONSIDERATION OF the March \_\_\_\_, 2021 Stipulation by and between the Debtor and Members 1<sup>st</sup> Federal Credit Union, it is hereby:

ORDERED that the terms and provisions of said Stipulation concerning Debtor's 2017 Jeep Grand Cherokee V.I.N. 1C4RJFJG9HC759405 are hereby adopted and approved as an Order of Court.

**Date: March 23, 2021**



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Patricia M. Mayer,  
U.S. Bankruptcy Judge